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Human rights questions: implementation of human rights instruments

Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the report of the persons chairing the human rights treaty bodies on their tenth meeting, held at Geneva from 14 to 18 September 1998, pursuant to General Assembly resolution 52/118 of 12 December 1997.

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Annex

Report of the persons chairing the human rights treaty bodies on their tenth meeting

I. Introduction

1. Since the adoption of its resolution 37/44 on 3 December 1982, the General Assembly has continuously kept under review the issue of the effective implementation of international instruments on human rights, including reporting obligations under international instruments. Those matters have also received careful attention during the various sessions of the treaty bodies, at some of the meetings of States parties and at meetings of other organs such as the Economic and Social Council and the Commission on Human Rights.

2. Pursuant to General Assembly resolution 38/117 of 16 December 1983, the Secretary-General convened the first meeting of the persons chairing the bodies entrusted with the consideration of State party reports in August 1984. The report on that meeting was submitted to the General Assembly at its thirty-ninth session (A/39/484, annex). The second, third, fourth, fifth and sixth meetings were convened by the Secretary-General biannually from 1988 until 1994 and, in accordance with General Assembly resolution 49/178 of 23 December 1994, annually since 1995.

3. In its resolution 52/118 of 12 December 1997, the General Assembly welcomed the report of the persons chairing the human rights treaty bodies on their eighth meeting, held at Geneva from 15 to 19 September 1997 (A/52/507, annex), and took note of their conclusions and recommendations. The Assembly noted with appreciation the efforts of the persons chairing the treaty bodies, at their eighth meeting, to develop appropriate reforms of the reporting system, with a view to, *inter alia*, reducing the reporting burden on States parties while maintaining the quality of reporting, and encouraged them to continue those efforts, including through the continued examination of the benefits of reports focused on a limited range of issues and of opportunities for harmonizing the general guidelines regarding the form and content of reports, and the timing of consideration of reports and the methods of work of the treaty bodies. The General Assembly endorsed the request of the persons chairing the treaty bodies to hold an extraordinary meeting from 25 to 27 February 1998 to pursue the reform process with the aim of improving the effective implementation of international instruments on human rights. The report on that meeting (ninth meeting) is before the General Assembly at its fifty-third session (A/53/125).

4. The tenth meeting of persons chairing the human rights treaty bodies was convened by the Secretary-General pursuant to General Assembly resolution 52/118.

II. Organization of the meeting

5. The meeting was held at the United Nations Office at Geneva from 14 to 18 September 1998. The following representatives of the human rights treaty bodies attended: Charlotte Abaka (Vice-Chairperson, Committee on the Elimination of Discrimination against Women), Mahmoud Aboul-Nasr (Chairperson, Committee on the Elimination of Racial Discrimination), Philip Alston (Chairperson, Committee on Economic, Social and Cultural Rights), Peter Thomas Burns (Chairperson, Committee against Torture), Omran El-Shafei (Vice-Chairperson, Human Rights Committee) and Sandra P. Mason (Chairperson, Committee on the Rights of the Child). Mr. Burns was elected Chairperson/Rapporteur of the meeting. At their first meeting the chairpersons adopted the agenda and the programme of work.

6. On behalf of the United Nations High Commissioner for Human Rights, the Deputy High Commissioner for Human Rights declared the meeting open and addressed the chairpersons of the human rights treaty bodies on 14 September 1998. Mary Robinson, the United Nations High Commissioner for Human Rights, participated in a closed meeting with the chairpersons on 18 September 1998, which was highly appreciated as it made it possible to continue the frank dialogue of previous meetings.

7. Representatives of the following United Nations bodies, specialized agencies and regional organizations participated in the meeting: Organization of American States (OAS); Organization of African Unity (OAU); Division for the Advancement of Women of the United Nations Secretariat; United Nations Population Fund (UNFPA); United Nations Development Programme (UNDP); United Nations Educational, Scientific and Cultural Organization (UNESCO); United Nations Children's Fund (UNICEF); Office of the United Nations High Commissioner for

Refugees (UNHCR); and World Health Organization (WHO).

8. The Director of the Information Service of the United Nations Office of Geneva informed the meeting of chairpersons about the ongoing information activities covering the work of all treaty bodies. To ensure better coverage of the meetings of treaty bodies, the Department of Public Information is planning (a) to continue working to make the activities of the committees better known, through radiocommunication with Geneva-based correspondents, making use of "points de presse"; (b) to prepare, for November 1998, an annual timetable for the six treaty bodies which would provide dates of meetings and list the State reports to be considered; this is to alert the press on the national level; and (c) to continue Department action to make television networks aware of the activities of the treaty bodies during public sessions.

9. Representatives of the following non-governmental organizations attended the meeting: Amnesty International; Anti-Racism Information Service (ARIS); Association for the Prevention of Torture (APT); Baha'i International Community; Defence for Children International; Friends World Committee for Consultation; International Service for Human Rights; International Women's Rights Action Watch; Lawyers Committee for Human Rights; and NGO Group for the Convention on the Rights of the Child.

10. Gallegos Chiriboga, Vice-Chairperson of the fifty-fourth session of the Commission on Human Rights, and Yimer Aboye, member of the Bureau of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, addressed the meeting, as did Ms. Rishmawi, Chairperson of the fifth meeting of special rapporteurs and representatives, experts and chairpersons of working groups on the special procedures of the Commission on Human Rights and the Advisory Services Programme.

11. On 17 September 1998 the chairpersons convened a private meeting with the representatives of States parties to discuss ideas on how to improve the work of human rights treaty bodies and to promote implementation of their concluding observations. Fifty-five States parties were represented at the meeting, which provided a valuable opportunity for dialogue in relation to the role of the treaty bodies and their future evolution. The following issues were discussed: (a) the problem of human resources; the success in obtaining ratifications has not been accompanied by a growth in the human resources made available to meet the increased workload; (b) the serious backlog of communications in those committees having communications procedures; (c) two recent denunciations of the Optional Protocol to the International Covenant on Civil and Political Rights; (d) the backlog of State reports received and not yet examined; (e) the problem of overdue reports; and (f) the problem of giving effect to the recommendations of the expert committees. The chairpersons consider that informal consultations with States parties during their meetings are extremely useful and request the Secretariat to arrange for an informal consultation during their eleventh meeting.

12. The chairpersons further convened a private meeting with the internal Task Force of the Office of the High Commissioner for Human Rights, established with a mandate to facilitate and contribute to the parallel review of the United Nations mechanisms by the Commission on Human Rights and provide the Office of the High Commissioner with an input on measures to improve the effectiveness of the mechanisms. In this context, the chairpersons also had the opportunity to meet with Professor Anne Bayefsky of York University, Canada, who will conduct an academic study and review of the human rights treaty system for the Office of the High Commissioner.

13. Among the documents made available to the participants were the report of the Secretariat on universal ratification, improving the operation of the human rights treaty bodies, servicing of the treaty bodies and information technology;[1] the report of the Secretary-General on the status of the international human rights instruments and the general situation of overdue reports;[2] a background paper by the Division for the Advancement of Women on the integration of a gender perspective into the work of all treaty bodies;[3] and a proposal for a plan of action to strengthen the implementation of the Covenant on Civil and Political Rights, the Convention on the Elimination of Racial Discrimination and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

14. On 18 September 1998, the chairpersons considered the draft report on their tenth meeting. The report, as amended during the course of the meeting, was adopted unanimously.

15. The chairpersons tentatively agreed to hold their eleventh meeting at the United Nations Office at Geneva from 31 May to 4 June 1998, to coincide with the meeting of special rapporteurs and representatives, experts and chairpersons of working groups.

III. Composition of the treaty bodies

16. The chairpersons expressed strong concern at the geographical and gender imbalances reflected in the composition of certain of the treaty bodies. In particular, they noted that the number of African experts within two of the committees was entirely unsatisfactory. They recognized that the election of members of the treaty bodies was entirely a matter for the States parties. Nevertheless they called upon States parties to make a concerted effort to remedy the imbalances.

IV. Review of recent developments relating to the work of the treaty bodies and their cooperation with specialized agencies, United Nations funds and programmes and regional and non-governmental organizations

17. The chairpersons provided information on recent activities of the treaty bodies they represented. Brief statements were made by each chairperson in relation to the working methods, innovations made and challenges to be addressed by the respective committees.

18. Appreciation was expressed at the increasing cooperation between the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Committee on the Elimination of Racial Discrimination, which has resulted in a joint paper on article 7 of the Convention on the Elimination of All Forms of Racial Discrimination. The chairpersons recommended that the expertise of the treaty bodies in general, and the Committee on the Elimination of Racial Discrimination in particular, should be increasingly drawn upon by the Sub-Commission in its preparation of future studies on topics related to, *inter alia*, ethnic conflict, education and racial discrimination, globalization in the context of the increase in incidents of racism, racial discrimination and xenophobia, affirmative action, migrant workers and the rights of non-citizens.

19. The chairpersons emphasized the importance of the work of the special rapporteurs and representatives, experts and chairpersons of working groups and underlined the utility of and the need to have easy access to the reports of other existing United Nations mechanisms so as to improve the work of the human rights treaty bodies. It was recommended that ways to improve the communication and information flow between the various United Nations mechanisms be explored. The chairpersons further endorsed the conclusion reached at the fifth meeting of special rapporteurs that the current practice of special rapporteurs occasionally participating in meetings of treaty bodies should be institutionalized.

20. The chairpersons also noted with interest the wish expressed by the representative of UNESCO that the newly appointed Special Rapporteur on education should cooperate with UNESCO and be able to visit its headquarters to make use of its existing network and material.

21. The chairpersons further underlined the importance of the supportive work of and fruitful cooperation with a number of specialized agencies, United Nations bodies and non-governmental organizations. It was once again regretted that no such constructive relationship had yet been established between the treaty bodies and some key agencies, in particular the International Monetary Fund and the World Bank. The chairpersons welcomed the statement of UNDP that it intended to increase its cooperation with the Committee on Economic, Social and Cultural Rights, as a first step towards greater involvement in the work of the treaty bodies as a whole.

22. The representative of UNDP informed the chairpersons of the ongoing cooperation with the Office of the High Commissioner for Human Rights, in drafting a human rights programme, "Human rights strengthening – HURIST", with the aim of supporting the implementation of UNDP policy on human rights as presented in its policy document entitled "Integrating human rights with sustainable human development".

23. The chairpersons were briefed on the process under way, pursuant to the memorandum of understanding signed on 4 March 1998 by UNDP and the Office of the High Commissioner, to draft a training module on human rights for UNDP staff at headquarters and field levels as part of the UNDP training programme. Still within the framework of the memorandum of understanding, the possibilities of staff exchange and rotations of Junior Professional Officers between UNDP and the Office of the High Commissioner are being studied. The chairpersons very much hope that the strong commitment expressed in the memorandum of understanding will be translated into real action and support by UNDP at the national level.

24. The chairpersons noted with interest that, according to the memorandum of understanding, the recommendations of all special rapporteurs and the concluding observations of all treaty bodies should be sent to UNDP resident representatives, a decision endorsed by the chairpersons.

V. Universal ratification

25. Universal ratification has been a recurrent issue on the agenda of various treaty bodies and chairpersons' meetings. Commitments undertaken in the Vienna Declaration and Programme of Action and in the Beijing Declaration and Platform for Action towards universal ratification of the six principal human rights treaties must be given effect. In this framework, the chairpersons, at their ninth meeting, called upon the United Nations system as a whole to accord an even higher priority to efforts to encourage and facilitate ratification of each of the six treaties by every State.

26. The chairpersons reiterated their view that universal ratification of the six principal human rights treaties constituted an essential dimension of a global order committed to the full respect of human rights (see A/53/125, paras. 13–16).

27. The chairpersons noted that the memorandum of understanding referred to in paragraph 23 above includes in its annex, *inter alia*, a provision for cooperation with a view to promoting universal ratification of the international human rights instruments. In particular, it provides that UNDP shall, through its country offices, inform the Governments seeking assistance or advice on ratification of international human rights instruments about the availability of assistance under the technical cooperation programme of the Office of the High Commissioner for Human Rights.

28. In view of the above, the chairpersons recommended that the Office of the High Commissioner for Human Rights develop a concerted and comprehensive action programme to promote universal ratification in cooperation with specialized agencies and United Nations funds and programmes, in particular UNDP, and to report to the chairpersons at their eleventh meeting on the action taken in this regard.

VI. Improving the work of human rights treaty bodies

A. Focused and consolidated reports

29. At their eighth and ninth meetings, the chairpersons expressed the view that, in relation to periodic reports, there might be significant advantages in seeking ways by which to focus the report of each State party on a limited range of issues, which might be identified by the committees in advance of the preparation of the report. Such an approach would greatly reduce the need for very lengthy reports, minimize duplication of reports, help to eliminate long delays between the submission and the examination of reports, allow problem areas to be dealt with in depth and facilitate the follow-up of concluding observations, both for the State party and for the committee concerned. The chairpersons undertook to bring the issue to the attention of the members of their respective committees and to report on any measures that might be taken in that regard.

30. Following the discussion of recent experiences of the respective committees, the chairpersons reiterated their view that it was desirable to strive towards focused periodic reports, adding that account must be taken of the limited scope of the issues covered by some of the treaties.

31. With regard to the frequently expressed idea of consolidating reports in a single global report covering all six human rights treaties, no consensus could be reached. As at the eighth meeting, although the chairpersons considered that such an approach would reduce the number of different reports requested of States parties and would serve to underline the indivisibility of human rights by ensuring a comprehensive analysis of the situation, concerns were expressed in relation to problems resulting from the different periodicities of reporting under the treaties and, in particular, the risk that the special attention given to groups such as women and children would be lost in a single comprehensive report.

B. Venue of meetings

32. At the tenth meeting of chairpersons, the issue of interchangeability of venues was once more discussed. The chairpersons strongly emphasized that it would be desirable for the treaty bodies to meet in both Geneva and New York, as that would enhance the effectiveness and visibility of their work. They also believed that occasional sessions in New York would enable the four committees concerned to establish better contacts with States parties which did not have permanent missions at Geneva, to make their work much more widely known to a broader range of interested groups, to facilitate contacts with those non-governmental organizations and media representatives that were not active at Geneva and to provide an important opportunity for interaction with other international organizations which did not actively follow the work of the treaty bodies at Geneva. Similarly, the chairpersons reiterated the view that an opportunity for the Committee on the Elimination of Discrimination against Women to meet at Geneva would greatly enhance its relationship with other human rights mechanisms and give it access to a range of agencies, non-

governmental organizations and other groups not present in New York (A/52/507, para. 49).

33. Furthermore, the chairpersons noted the many advantages that would accrue if the treaty bodies were able to meet on an exceptional and occasional basis at the various United Nations regional offices. They requested the High Commissioner to approach the relevant offices to explore the conditions under which it might be possible to organize a treaty body session at the regional level without incurring costs significantly greater than those involved in meeting in New York or Geneva, as the case may be. The High Commissioner for Human Rights was requested to report to the chairpersons on the matter (A/52/507, para. 51).

34. Having been informed about the estimated financial implications of their proposal, the chairpersons reaffirmed their previous request. The chairpersons further underlined that the advantages and positive side-effects of holding meetings in both New York and Geneva, and occasionally in regional headquarters, by far outweighed the additional costs entailed.

C. Technical briefings for experts of human rights treaty bodies

35. At the eighth meeting of chairpersons, the Secretariat was requested to present a proposal as to the possible contents of technical briefings directed at treaty body members to expose them to the legal and institutional context in which the treaty bodies operate and to the work of the relevant international organizations.

36. Following the presentation of a proposal at their tenth meeting, the chairpersons welcomed the possibility of such technical briefings, especially as a means to familiarize new members with the workings of their committees. However, the chairpersons considered that the current proposal should be refined, bearing in mind, *inter alia*, that the briefings should be of a minimum of one day's duration, as well as procedures currently in place in the Committee on the Elimination of Discrimination against Women. The chairpersons recommended that the Secretariat amend its proposal accordingly.

D. Press coverage of the treaty bodies

37. At their tenth meeting, the chairpersons noted with interest the information received from the Information Service of the United Nations Office at Geneva on the ongoing information activities covering the work of all treaty bodies and measures planned to ensure better coverage of the meetings of treaty bodies, namely, (a) continuing work to make the activities of the committees better known, through radio communication with Geneva-based correspondents; (b) preparation, for November 1998, of an annual timetable for the six treaty bodies which would provide dates of meetings and list the State reports to be considered, so as to alert the press on the national level; and (c) continuing action to make television networks aware of the activities of the treaty bodies during public sessions.

38. It was noted that the United Nations press corps in New York and Geneva were heavily weighted in favour of Western countries. The chairpersons considered that this was particularly problematic insofar as it restricted the media coverage given to the examination of reports concerning other countries. They considered that the Department of Public Information and the United Nations Information Service offices at the country level should make a concerted effort to provide the local media with documentation and appropriate background briefings whenever a report from the State concerned or neighbouring States was being considered by any of the treaty bodies. They urged the Department to consider providing appropriate training to its field office representatives to enable them to perform this function effectively.

VII. Servicing of the human rights treaty bodies

A. Staffing situation

39. The chairpersons have on several previous occasions expressed their concern at the level of Secretariat assistance provided to the five Geneva-based committees. The chairpersons note that the new structure of the Office of the High Commissioner for Human Rights has not brought any improvement in the service for the human rights treaty bodies. The impact of the restructuring on their work has entailed a noticeable reduction of human resources assigned to the treaty bodies in terms of numbers of staff, as well as a loss of essential expertise and institutional memory.

40. The chairpersons expressed particular concern at the important turnover of staff servicing the human rights treaty bodies as a result of the restructuring, which has negatively affected the quality of the service received. In this context the chairpersons underlined the importance of appropriate

training of staff members in drafting methods and document research.

41. Having considered the information contained in the report of the Secretariat on universal ratification, improving the operation of the human rights treaty bodies, servicing of the treaty bodies and information technology,[1] concerning the relevant tasks performed and the time required to perform those tasks, the chairpersons reiterated their appeals already contained in the reports on their eighth and ninth meetings that the specialized secretariat staff servicing the committees be significantly strengthened. In view of the current financial situation of the United Nations as a whole, the possibility of seeking voluntary funds must be further explored, although adequate provision to human rights treaty bodies should be developed within the regular budget allocated to the Office of the High Commissioner for Human Rights.

42. The chairpersons noted that while they had consistently called upon the High Commissioner to provide additional staff support, the High Commissioner had limited scope to respond as long as the States Members of the United Nations continued to reduce the already seriously inadequate resources available from the regular budget for human rights purposes. The failure of States to pay their longstanding arrears is particularly problematic in this respect and the honouring of financial obligations under the Charter of the United Nations could achieve a significant improvement of the situation. The chairpersons wished to highlight the fact that the reductions which had been made were inconsistent with the constant reaffirmations by States of the importance of the United Nations human rights mandate, and the dramatic expansion of tasks entrusted to the Office of the High Commissioner for Human Rights in general, particularly in relation to the treaty bodies.

43. Further, in view of the importance of finding concrete and innovative ways to improve the work of the human rights treaty bodies, the chairpersons emphasized the need for adequate resources to be made available to enable them to follow up and implement its various proposals.

B. Backlog of work

44. The chairpersons noted the growing backlog in the examination of reports of States parties and underlined the fact that it was detrimental to the proper functioning of the treaty bodies to press States parties to submit their reports in a timely fashion if those reports could not be examined before the data submitted became obsolete. While the chairpersons insisted that the examination of reports must not be rushed, and that the quality of the dialogue and of the concluding observations could be further improved, they recognized that it would be desirable to complete the examination of reports in fewer meetings than is currently the case. In order to achieve such an improvement, the chairpersons believe that better preparation of documents by the Secretariat would significantly assist the committees in examining State party reports more expeditiously.

45. The chairpersons noted that while the Committee on the Elimination of Racial Discrimination does not at present have any backlog of pending communications, the Committee against Torture is experiencing a constant growth in the number of communications received and is concerned that appropriate measures be taken to ensure that a serious backlog does not develop in the near future. With respect to the Human Rights Committee, the chairpersons remained concerned about the excessive number of pending cases and growing backlog of unanswered correspondence, which seriously calls into question the effectiveness of the Human Rights Committee and consequently of the Optional Protocol procedure.

46. The chairpersons suggested that some possibilities be explored to respond adequately to the current backlog of communications in the Human Rights Committee and to similar situations for other committees in the future. The chairpersons considered it the responsibility of each committee to persevere in the ongoing examination of working methods and to find adequate solutions. The chairpersons noted, as an example of measures already taken, that the Human Rights Committee had reviewed its methods of work and amended its rules of procedure to allow the joint examination of admissibility and merits in appropriate cases. This change had already enabled the Committee to reduce substantially the time required to complete the examination of communications.

47. Furthermore, in view of the present situation, the chairpersons wished once again to emphasize the fact that the individual communications procedures constituted an important part of the human rights treaties monitoring system. It was imperative that individual communications be acknowledged promptly upon receipt and processed expeditiously, although that might require a substantial increase in the number of specialized lawyers assigned to the work.

C. Plan of Action to strengthen the implementation of the international human rights treaties

48. The chairpersons welcomed the information received concerning the success of the Plan of Action to strengthen the implementation of the Convention on the Rights of the Child, which has been in operation since 1997 and has significantly helped the Committee on the Rights of the Child in carrying out its mandate. They also welcomed the information concerning the funds already received for the Plan of Action for the Covenant on Economic, Social and Cultural Rights.

49. The chairpersons examined a proposed draft of a plan of action to strengthen the implementation of the Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture, prepared by the Secretariat pursuant to a recommendation contained in the report on the ninth meeting. The chairpersons confirmed the support expressed at their previous meetings for the adoption of such a plan of action, but requested the Secretariat to take due account of a number of concerns that needed to be addressed and to revise the proposal in close cooperation with the chairperson of the tenth meeting. They further requested the High Commissioner for Human Rights to ensure that the finalization and subsequent launching of a plan of action be given absolute priority so as to increase available resources.

VIII. Reservations to the human rights treaties

50. The chairpersons continued their discussion of the preliminary conclusions adopted by the International Law Commission at its forty-seventh session relating to reservations to normative multilateral treaties and noted the third report on reservations to treaties submitted by Mr. Alain Pellet, Special Rapporteur, to the Commission at its fiftieth session in 1998.

51. The chairpersons took note of the report of the Secretary-General reflecting the views of the six human rights treaty bodies on the preliminary conclusions of the International Law Commission,[4] paragraph 3 of which correctly reflects the position of the chairpersons:

> "At the ninth meeting of persons chairing the human rights treaty bodies, held at Geneva in February 1998, the chairpersons considered the Commission's Preliminary Conclusions and drew attention to the emphasis attached in the Vienna Declaration and Programme of Action to the importance of limiting the number and the extent of reservations to human rights treaties and welcomed the recognition contained in the text that treaty monitoring bodies have an important competence in relation to reservations. They considered, however, that the Preliminary Conclusions were unduly restrictive in other respects and did not accord sufficient attention to the fact that human rights treaties, by virtue of their subject matter and the role they recognize to individuals, cannot be placed on precisely the same footing as other treaties with different characteristics."

52. The chairpersons agreed to pursue the consideration of the preliminary conclusions in their respective committees with a view to formulating their comments and forwarding them to the International Law Commission as soon as possible.

IX. Gender perspectives in the work of the treaty bodies

53. At their eighth meeting, the chairpersons invited the Division for the Advancement of Women to prepare a background paper analysing what the various treaty bodies had done, and should do, in integrating a gender perspective into their work. At their tenth meeting, the chairpersons were presented with a report reviewing the integration of a gender perspective into the work of the United Nations human rights treaty bodies. The chairpersons strongly endorsed the report and emphasized the usefulness of such a comprehensive study to the work of the treaty bodies, in particular in assessing current practices and in identifying and focusing on areas of improvements for the future. The chairpersons however expressed concern at the risk that this valuable analysis might not receive the attention deserved, and called upon each of the committees to take full account of the recommendations contained in the report within the framework of their respective mandates.

54. The chairpersons further noted with interest the proposed guidelines on gender perspective presented by the International Women's Rights Action Watch, which could prove to be an indispensable tool in integrating the gender perspective into the work of the treaty bodies in practice.

X. Conclusions and recommendations

55. The chairpersons expressed strong concern at the geographical and gender imbalances reflected in the composition of certain of the treaty bodies. In particular, they noted that the number of African experts within two of the committees was entirely unsatisfactory. They recognized that the election of members of the treaty bodies was entirely a matter for the States parties. Nevertheless they called upon States parties to make a concerted effort to remedy the imbalances.

56. In view of the recent successful outcome of cooperation between the Committee on the Elimination of Racial Discrimination and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, the chairpersons recommended that the expertise of the treaty bodies in general, and the Committee on the Elimination of Racial Discrimination in particular, should be increasingly drawn upon by the Sub-Commission in its preparation of future studies on topics related to, *inter alia*, ethnic conflict, education and racial discrimination, globalization in the context of the increase in incidents of racism, racial discrimination and xenophobia, affirmative action, migrant workers and the rights of non-citizens.

57. Underlining the importance of the work of the special rapporteurs and representatives, experts and chairpersons of working groups, the chairpersons recommended that effective ways to improve the communication and information flow between the various United Nations mechanisms be explored. They further endorsed the conclusion reached at the fifth meeting of special rapporteurs that the current practice of special rapporteurs occasionally participating in meetings of treaty bodies should be institutionalized.

58. The chairpersons recommended that the Office of the High Commissioner for Human Rights develop a concerted and comprehensive action programme to promote universal ratification in cooperation with specialized agencies, and United Nations funds and programmes, in particular UNDP, and to report to the chairpersons at their eleventh meeting on the action taken in this regard.

59. The chairpersons also noted with interest the wish expressed by the representative of UNESCO that the newly appointed Special Rapporteur on education should cooperate with UNESCO and be able to visit its headquarters to make use of its existing network and material.

60. The chairpersons very much hope that the strong commitment expressed in the memorandum of understanding signed by the Office of the High Commissioner for Human Rights and UNDP will be translated into real action and support by UNDP at the national level. The chairpersons noted with interest that, according to the memorandum of understanding, the recommendations of all special rapporteurs and the concluding observations of all treaty bodies should be sent to UNDP resident representatives, a decision endorsed by the chairpersons.

61. For the reasons cited above (paras. 32–34), the chairpersons reiterated their request that necessary steps be taken to enable the four human rights treaty bodies meeting only at Geneva to hold occasional sessions in New York, and for the Committee on the Elimination of All Forms of Discrimination against Women to hold sessions at Geneva. They also reiterated their request to be enabled to meet, on occasion, at other United Nations regional offices.

62. The chairpersons recommended that a programme of technical briefings for committee experts be developed on the basis of the proposal presented by the Secretariat during the tenth meeting, incorporating elements suggested by the chairpersons.

63. The chairpersons recommended that the Secretariat, in conjunction with the Information Service of the United Nations Office at Geneva, explore ways to attract the interest of the media worldwide, through increased cooperation with national information offices. They also considered that the Department and the United Nations Information Service offices at the country level should make a concerted effort to provide the local media with documentation and appropriate background briefings whenever a report from the State concerned, or neighbouring States, was being considered by any of the treaty bodies. The chairpersons urged the Department to consider providing appropriate training to its field office representatives to enable them to perform this function effectively.

64. The chairpersons noted that while they had consistently called upon the High Commissioner to provide additional staff support, the High Commissioner had limited scope to respond as long as Member States continued to reduce the already seriously inadequate resources available from the regular budget for human rights purposes. The failure of States to pay their longstanding arrears is particularly problematic in this respect and the honouring of financial obligations under the Charter could achieve a significant improvement of the situation. The chairpersons wished to highlight the fact that the reductions which had been made were inconsistent with the constant reaffirmations by States of the importance of the United Nations human rights mandate, and the dramatic expansion of tasks

entrusted to the Office of the High Commissioner for Human Rights in general, particularly in relation to the treaty bodies.

65. In view of the importance of finding concrete and innovative ways to improve the work of the human rights treaty bodies, the chairpersons wished to emphasize the need for adequate attention and resources to follow up and implement its various proposals.

66. So as to respond adequately to the current backlog of communications in the Human Rights Committee and to similar situations for other committees in the future, the chairpersons recommended all committees to persevere in their ongoing examination of working methods and to find adequate solutions to current difficulties and challenges ahead. The chairpersons suggested that the following possibilities might be explored: (a) an additional week to deal solely with individual communications; (b) an increase in the number of members of the committees, a suggestion which however should be seen as a long-term project as it would entail amendments of existing treaties and a subsequent ratification process; and (c) the creation of small working groups.

67. The chairpersons strongly endorsed the proposed plan of action to strengthen the implementation of the Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, and requested the Secretariat to take account of a number of concerns that needed to be addressed and to revise the proposal presented in close cooperation with the chairperson of the tenth meeting. They further requested the High Commissioner for Human Rights to ensure that the finalization and subsequent launching of a plan of action be given absolute priority and that necessary resources be made available.

68. The chairpersons called upon each of the committees to take full account of the recommendations contained in the report of the Secretary-General on the question of integrating the human rights of women throughout the United Nations system,[5] within the framework of their respective mandates.

69. The chairpersons considered that informal consultations with States parties during the tenth meeting were extremely useful, and requested the Secretariat to arrange for the holding of an informal consultation during their eleventh meeting.

Notes

[1] HRI/MC/1998/4.

[2] HRI/MC/1998/5.

[3] HRI/MC/1998/6.

[4] E/CN.4/Sub.2/1998/25.

[5] E/CN.4/1998/49.